

REMARKS

Applicant encloses a check to cover the fee associated with adding new claims and for submission of an Information Disclosure Statement. In addition, the Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account 20-1507. In the event a Petition for an extension of time is needed, this paper is to be considered such a Petition. Claims 1-41 are pending. Claims 1-20 stand rejected.

REJECTION OF CLAIMS 1-6 and 13-20 UNDER 35 U.S.C. § 102(b)

Claims 1-6 and 13-20 are rejected as anticipated by various US patents. Applicant has canceled claims 1-3, 6-7, and 13. Applicant acknowledges that claims 7-12 would be allowable if rewritten in independent form including the limitations of the base claim and any intervening claims. Accordingly, claims 4-5, 15-18 are amended to correct dependency and to incorporate elements of formerly dependent claims into their corresponding independent claims. Applicant has added new claims to further rewrite claims 8-11 as independent claims. No new matter has been added. As a result of the amendments, Applicant submits that all pending claims are in condition for allowance.

Amended Claims

Claim 7 is rewritten in independent form by amending independent claim 5 to incorporate the limitations of dependent claim 7. In particular, claim 5 is amended to include "wherein about 77 to about 99 percent of the chlorination agent in the hypochlorous acid stream is hypochlorous acid." Basis for this amendment is found throughout the specification, for example, on page 17, lines 1-9, and Table 1. Claim 4 is amended to depend from claim 5. Thus, Applicant submits that claim 5 and dependent claims 4, 6-12 are in condition for allowance.

Claim 8 is rewritten in independent form as new claim 28. Claim 28 combines the limitations of originally filed claims 5 and 8, and therefore is in condition for allowance. Applicant has replaced "combining an acid with a first carrier stream" with —forming an acid in a first carrier stream—. Basis for this amendment is found throughout the specification, for example on page 8, lines 9-14 of the specification. Claim 29 depends on claim 28 further specifying that the target element is an animal or animal carcass. Basis for this amendment is found for example in originally filed claim 16. Claims 30-34 depend on claim 28 and are identical to originally filed claims 16-20 with "animal carcass" replaced with —target element— for proper antecedent basis.

Claim 9 is rewritten in independent form as new claim 21. New claim 21 contains the limitations of originally filed claims 5 and 9, and is therefore, in condition for allowance. Claim 22 depends on claim 21 further specifying that the target element is an animal or animal carcass. Basis for this amendment is found for example in originally filed claim 16. Claims 23-27 depend on claim 21 and are identical to originally filed claims 16-20 with “animal carcass” replaced with —target element— for proper antecedent basis.

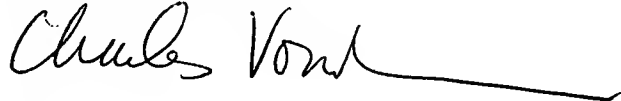
Claim 10 is rewritten in independent form as new claim 35. New claim 35 incorporates the limitations of originally filed claims 5 and 10, and therefore is in condition for allowance. Applicant has replaced “combining an acid with a first carrier stream” with —forming an acid in a first carrier stream—. Claim 36 depends on claim 35 further specifying that the target element is an animal or animal carcass. Basis for this amendment is found for example in originally filed claim 16. Claims 37-41 depend on claim 35 and are identical to originally filed claims 16-20 with “animal carcass” replaced with —target element— for proper antecedent basis.

Claim 11 is rewritten in independent form by combining the limitations of claims 13 and 15. Applicant replaced “combining an acid with” with —acidifying— to clarify the claim language. Applicant further added “wherein the first mixed stream comprises carbonic acid” to incorporate the limitations of claim 11. Claims 16-18 are amended to depend from amended claim 15. Claims 19-20 now ultimately depend on claim 15. Therefore, Applicant submits that claims 15-20 are in condition for allowance.

CONCLUSION

Applicant respectfully requests consideration of the references cited on the accompanying Information Disclosure Statement. In light of the foregoing Amendment and Remarks, Applicant submits that all pending claims are in condition for allowance and requests reconsideration and allowance of all pending claims.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Charles Vorndran", followed by a long horizontal line extending to the right.

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**MARKED-UP VERSION OF AMENDED CLAIMS SHOWING CHANGES MADE
37 C.F.R. § 1.121**

Deleted language is in strikeout, and added language is bolded and underlined.

4. (amended) The system of Claim ~~4~~ **5**, wherein the target element is a poultry product.

5. (amended) In a system to control pathogens on a target element, the system including subjecting the target element to a disinfectant, the improvement comprising subjecting the target element to hypochlorous acid formed by the following steps:

- (a) combining an acid with a first carrier stream to form a first mixed stream;
- (b) introducing a chlorination agent into a control stream, the chlorination agent increasing the concentration of hypochlorous acid and hypochlorite of the control stream;
- (c) combining the first mixed stream with the control stream having the chlorination agent to form the hypochlorous acid stream, **wherein about 77 to about 99 percent of the chlorination agent in the hypochlorous acid stream is hypochlorous acid.**

14. (amended) The system of Claim [13] **15**, wherein the hypochlorous acid is in the form of a hypochlorous acid stream of between about 4.3 and 7.0 pH.

15. (amended) ~~The system of Claim 13 wherein the~~ **In a system for controlling pathogens during the processing of animals into food including conveying an animal carcass through processing equipment, the improvement comprising subjecting the animal carcass to** hypochlorous acid formed by the following steps:

- (a) ~~combining an acid with~~ **acidifying** a first carrier stream to form a first mixed stream, **wherein the first mixed stream comprises carbonic acid;**
- (b) introducing a chlorination agent into a control stream, the chlorination agent increasing the concentration of hypochlorous acid and hypochlorite of the control stream;
- (c) combining the first mixed stream with the control stream having the chlorination agent to form the hypochlorous acid stream.

16. (amended) The system of Claim ~~13~~ **15**, wherein the ~~animal~~/animal carcass is conveyed through a pick/kill area, wherein the animal carcass is subjected to a hypochlorous acid stream in the pick/kill area.

17. (amended) The system of Claim ~~13~~ 15, wherein the animal carcass is conveyed through an evisceration area, wherein the animal carcass is subjected to a hypochlorous acid stream in the evisceration area.

18. (amended) The system of Claim ~~13~~ 15, wherein the animal carcass is conveyed through a chilling area, wherein the animal carcass is subjected to a hypochlorous acid stream in the chilling area.